IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

WRIT PETITION NO.4430 OF 2006

Dhankuvar Gokaldas Tokla& Ors. ...Petitioners.

Vs.

Mahendra Laxmidas Davavala & Ors. ...Respondents.

.....

Mr.Vijay M. Vaghela for the Petitioner.

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CORAM : DR.D.Y.CHANDRACHUD, J.

July 17, 2006.

P.C. :

The Learned Trial Judge in the Court of Small Causes has found that there was an exceptional reason which prevented Defendant Nos.1 to 5 from filing their Written Statement within the prescribed period. The delay has been condoned and the Written Statement has been permitted to be taken on record on the payment of costs quantified at Rs.5,000/-. In these circumstances, the exercise of the supervisory jurisdiction under Article 227 of the Constitution is not warranted. The petition is dismissed.

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